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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/502,728	02/11/2000	Wesley DeWayne Lindquist	9203/013	5595

24283 7590 06/23/2003

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EXAMINER
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CHANNAVAJJALA, SRIRAMA T

ART UNIT	PAPER NUMBER
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2177

DATE MAILED: 06/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/502,728

Applicant(s)

LINDQUIST, WESLEY DEWAYNE

Examiner

Srirama Channavajjala

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 30 May 2003/RCE.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15, 17-24, 26-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-24 and 26-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Response to RCE***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/30/2003 has been entered, paper no. # 9, the Amendment/Response filed on 5/30/2003 paper no. # 10 has been entered, Office action, paper no. # 11, is as follows
2. Claims 1,8,15, and 24 have been amended, paper no. # 10.
3. Examiner acknowledges applicant's amendment filed on 10/9/200, paper no.7.
4. Claims 16, 25 have been cancelled, paper no. # 7.
5. Claims 1-20,24,26-29 have been amended, paper no. # 7.
6. Claims 1-15, 17-24, 26-32 are pending in this application.

***Information Disclosure Statement***

7. The information disclosure statement filed on 2/11/2000, paper no. # 2, has been considered and a copy was enclosed with this office action, paper no. # 4.
8. The information disclosure statement filed on 10/15/2002, paper no. # 5, has been considered and a copy was enclosed with this office action, paper no. # 8.

***Drawings***

9. The formal drawings filed on 2/11/2000, have been approved by the Draftsperson under 37 CFR 1.84 or 1.152.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

10. Claims 1-3, 8-10, are rejected under 35 U.S.C. 102(e) as being anticipated by Conmy et al., [hereafter Conmy], US Patent No.6101480.

11. As to Claims 1 and 8, Conmy teaches a system which including 'a data Management system for automatically maintaining address information in plurality of subscriber address books' [see Abstract, col 1, line 60-65, fig 1, element 202, element 212], examiner interpreting address book corresponds to Conmy's electronic calendar that maintains name and address book for users as detailed in col 1, line 62-64, plurality of subscriber address books corresponds to fig 1, element 212, 'means for storing a plurality of subscriber address books, each said address book comprising a plurality of entries, each entry corresponding to a named individual' [col 1, line 60-67, col 2, line 1-3, col 3, line 45-55, fig 1], Conmy specifically teaches database element 200 stores one or more profiles, element 202, one or more calendar files element 210, and one or more name and addresses files element 212 as detailed in fig 1, further it is noted that name and addresses files element 212 containing list all of the names and electronic mail addresses for a plurality or all of the users as detailed in col 3, line 51-53, also it is noted that Conmy specifically teaches for example name and address file may be created for each invitee, [col 3, line 52-53], the user calendar file(s) are associated with user profiles, names and address as detailed in fig 1, subscriber address books corresponds to users specific profiles that containing specific user stored names and address stored in a database such as detailed in col 34-42, subscriber address book(s) corresponds to user(s) profile(s) containing names and addresses as detailed in fig 1, plurality of entries corresponds to entries in the database that related to user events for example profile information, busy time creation information and like as detailed in fig 1-2, 'including at least address data, for said named individuals' [ col 3,

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line 38-49, line 66-67, col 4, line 1-5], named individuals corresponds to users, address data for named individual corresponds to user profiles associated with respective names and addresses as detailed fig 1, element 202, 212, because user profile is directed to identifying specific user that is associated with specific address and profile, 'responsive to a change in a set of said individual data associated with an identified individual, for propagating said change to ones of said plurality of subscriber address books which contain an entry corresponding to said identified individual' [col 8, line 66-67, col 9, line 1-5, col 10, line 34-39], Conmy teaches specifically name/address book is kept for each person at each domain, further electronic mail address and calendar for each person are in the same database, so that calendar information may be exchanged, identified individual corresponds to user based on user profile.

12. As to Claims 2 and 9, Conmy teaches a system which including 'storing data to delimit which ones of said address books, which contain an entry corresponding to said identified individual, are authorized to receive said change to said individual data' [col 9, line 18-20, line 23-33, line 30-32], Conmy teaches for example a user may send a event to anyone from the Notes name and address book as detailed in col 9, line 18-19, that corresponds to identified specific user or individual authorized to receive information, further event invitee may accept, decline, delegate or a substitute and like, that response may be automatically updates the calendars as detailed in col 9, line 30-32, individual data corresponds to user data based on user profile as detailed in fig 1.

13. As to Claim 3, 10, are individually similar in scope to claims 2 and 9, and are therefore rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 4-7 and 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Conmy et al. [hereafter Conmy], US Patent No. 6101480 as applied to claim 1, 8 above, and further in view of Taylor et al., [hereafter Tylor], US Patent No. 5754306.

15. As to Claims 4 and 11, Conmy teaches a system which including 'storing data, individual data' [see col 3, line 44-50], Conmy specifically teaches one or more databases that store one or more profiles, calendar files, addresses files and like as detailed in col 3, line 45-50. It is however, noted that Conmy does not teach 'storing access level data to delimit which ones of said sets of address book data are authorized to receive said change to sets of address book data'. On the other hand, Taylor teaches a system which including 'storing access level data to delimit which ones of said sets of address book data are authorized to receive said change to sets of address book data' [col 26, line 49-56, col 28, line 28-32].

It would have been obvious one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Taylor et al. into electronic calendar with group scheduling and automated scheduling of Conmy et al. because Conmy is directed to network based electronic calendars, schedulers, and tasking systems for groups of users [see col 1, line 21-23], while Taylor is directed to automation of electronic communication system, more particularly, relates to an integrated system for electronic mail, facsimile transmission, and synchronization among distributed computers [see col 1, line 12-16], both are directed specifically address cards or address book that manages a database of names, addresses, phone numbers, electronic mail and like [see Taylor: col 7, line 47-55; Conmy: see col 3, line 38-43]. One of the ordinary skill in the art at the time of applicant's invention would have been motivated to modify Conmy's reference, more specifically modifying Conmy's fig 1 to incorporate properties of fig 21, element 2200 of Tylor that including guest privileges or access level(s) because that would have allowed users of Conmy's network based electronic calendars, schedulers, taking system for groups of users to control which relative combinations of individual access levels to various information available on the database(s) satisfies his or her needs as suggested by Tylor et al.[see col 3, line 64-67, col 4, line 1-11].

16. As to Claims 5 and 12, Taylor teaches a system which including 'defining groups of address books, which contain an entry corresponding to said identified individual that are authorized to received said change to said individual data' [col 26, line 49-56, fig 21], individual data corresponds to guest privileges

17. As to Claims 6 and 13, Taylor teaches a system which including 'retrieving data from a public database to verify a set of individual data associated with an identified individual' [col 28, line 34-42].

18. As to Claims 7 and 14, Taylor teaches a system which including 'responsive to said means for retrieving identifying a change in data in said individual data associated with an identified individual, for activating said means for propagating' [col 10, line 28-43].

19. Claims 15-16,24-25 are rejected under 35 U.S.C. 102(e) as being anticipated by O'Flaherty et al., [hereafter O'Flaherty], US Patent No.6253203.

20. As to Claims 15, 24, O'Flaherty teaches a system which including 'a data management system for automatically maintaining user data among a plurality of communities, each of which contains a plurality of members' [see Abstract, col 2, line 21-29], database management system corresponds to O'Flaherty's fig 1, automatically maintaining user data among a plurality of communities corresponds to collection of personal data of individual user or consumer or customer for example proliferation of membership as detailed in col 2, line 21-29, plurality of communities corresponds to banking, shopping , and like as detailed in col 1, line 57-63; 'means for storing, community membership data for plurality of communities, each said community comprising a plurality of entries, each entry corresponding to a named individual who is a member of said community' [col 1, line 57-67, col 2, line 57-67, col 7, line 1-15], examiner interpreting plurality of entries, each entry corresponding to a named individual corresponds to O'Flaherty's fig 2A, 3A, community membership corresponds to either banking, credit card transaction profile and like as detailed in col 1, line 57-60, 'individual data for each of said individuals' [see fig 2A,3A], O'Flaherty specifically teaches for example a logical model of the secure data warehouse that containing customer table element 202 having identity information, personal information, as detailed in fig 2A,3A that corresponds to individual data for each individuals, 'providing a user with access to a set of said individual data of an identified individual who is a

member of a same community as said user' [col 8, line 35-49], O'Flaherty teaches privileged view element 262 permits viewing, analysis, and alternation of information, more specifically user to view, specify, and change consumer privacy preferences that belongs to same community such as scaleable data warehouse customers as detailed in col 8, line 45-49, 'responsive to a change in individual data associated with said identified individual, for propagating said change to all of said plurality of communities in which said individual is a member' [col 8, line 35-47, col 10, line 9-16, line 32-39], O'Flaherty teaches updating consumer or customer's privileged requirements for example inserting new customers, deleting old customer, and customer's profile and like, further it is also noted that detailed customer profile is collected and propagated to database as detailed in col 10, line 35-39.

21. Claims 17- 23, and 26-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over O'Flaherty et al. [hereafter O'Flaherty], US Patent No. 6253203 as applied to claim 15, 24 above, and further in view of Page, WO 94/16398

22. As to Claims 17 and 26, O'Flaherty teaches a system which including 'defining a set of data sharing permissions, each of which define access members of by a community'[fig 2B], especially security information CaT1, CAT2, CAT3, also see fig 3C, element 208, 'sharing said individual data among predetermined members of each community who are identified by said set of permissions' [col 5, line 10-21, col 8, line 35-44]. It is however, noted that O'Flaherty does not specifically teach 'subset of

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the member's data'. On the other hand, Page teaches a system which including 'subset of the member's data' [see page 25, line 3-23, fig 4, fig 7].

It would have been obvious to one of the ordinary skill in the art at the time of applicant's invention to incorporate the teachings of Page into enforcing privacy constraints on a database management system of O'Flaherty because both O'Flaherty, and Page are directed to database management, more specifically, O'Flaherty is directed to database management system that is used to collect, store, analyze data [see Abstract], while Page is directed to accessing data by identifying membership of the item to particular groups, further groups allow data to be obtained for all items which are within the group [see Abstract]. One of the ordinary skill in the art at the time of applicant's invention would have been motivated to modify O'Flaherty et al. reference, more specifically modifying O'Flaherty's logical model fig 2A, 3A to incorporate Page's groups and subgroup table as detailed in fig 4 because that would have allowed uses of O'Flaherty database management system that is used to collect, store, analyze data to specifically control which relative combinations of subset of the member's data available from various information sources, further implementing privacy preferences of O'Flaherty [see col 7, line 13-14] satisfies his or her needs as suggested by Page [see page 21, line 12-17].

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23. As to Claim 18 and 27, O'Flaherty teaches a system which including 'retrieving data from a public database to verify a set of individual data associated with an identified individual' [see fig 3A, element 204], element 204 is directed to customer table containing various fields of each individual data associated with an identified individual such as name, address, account no. and like as detailed in fig 3A.

24. Claims 19 and 28 are individually similar in scope to Claims 18 and 27 and are therefore, rejected under similar rationale.

25. As to Claims 20 and 29, O'Flaherty teaches a system which including 'a set of individual data of an identified individual for generating at least one gift giving selection for said identified individual' [fig 3A, col 13, line 56-63, col 14, line 40-44].

26. As to Claims 21 and 30, O'Flaherty teaches a system which including 'user approving at least one of said gift giving selections for said identified individual, for fulfilling said gift giving selection' [fig 3A, col 13, line 56-63, col 14, line 40-44].

27. As to Claims 22 and 31, O'Flaherty teaches a system which including 'transmitting said gift giving selection to a third party vendor' [col 4, line 30-34, col 9, line 9-12], third party corresponds to O'Flaherty's third party detailed in fig 3B, element 112.

28. As to Claims 23 and 32, O'Flaherty teaches a system which including 'retrieving gift selection data from a third party vendor' [col 4, line 30-34, col 9, line 9-12], 'displaying images [see fig 9, element 260,264,266], 'responsive to a user approving at least one of said gift giving selections for said identified individual, for fulfilling said gift giving selection' [fig 3A, col 13, line 56-63, col 14, line 40-44].

### ***Response to Arguments***

29. Applicant's arguments filed on 5/30/2003, paper no. # 10 have been fully considered but they are not persuasive, for examiner's response, see the discussion below:

30. At page 5, line 15-19, Claims 1 and 8, 'the Conmy Patent fails to show or suggest a system that sotres a plurality of user personal address books, each of which.....individual, such as address data.'

As to the above argument, Examiner disagree with the applicant because firstly Conmy is directed to electronic calendar that with group(s) of users to share information in a client/server environment [see fig 1], secondly, Conmy teaches various elements in a database that including for example various users associated with individual profiles such as user profiles element 202, individual user calendar files element 210 and names and addresses element 212 as detailed in fig 1, and thirdly, all the listed above elements are part of database element 200, further it is noted that names and address

are related to user profiles or treated to be users personal address book used for group scheduling based on user availability as detailed in col 1, line 60-65.

It is noted that Conmy specifically teaches for example database to store not only user profiles, but also stores related names and address, further Conmy specifically suggests for example Fig 1 may comprise one or more databases element 200 storing one or more profiles element 202, therefore, storing one or more user profile, one or more user personal address books associating individual address data is integral part of Conmy's teaching.

31. At page 5, line 19-20, Claims 1 and 8, 'the Conmy Patent also fails to show or suggest the coordinated management of the users' personal address books in the form of address updates'

As to the above argument, Examiner disagree with the applicant because firstly Conmy is directed to automated scheduling techniques for network based electronic calendars, schedulers, and tasking system for groups of users, more specifically scheduling events involving multiple participants or users based on user profiles, user calendar events that associated with names and addresses [see fig 1, col 3, line 38-55], secondly, as discussed above Fig 1 may comprise one or more databases element 200 storing one or more profiles element 202, therefore, storing one or more user profile, one or more user personal address books associating individual address data is integral

part of Conmy's teaching, thirdly, Conmy specifically teaches database(s) periodically updated and replicated to various sites, more specifically database(s) collects information up-to-date available information from every user on the system and periodically updated accordingly in order to maintain and share information across network [col 4, line 6-30], therefore, Conmy teaches or suggests updated information maintained in the database(s) as detailed in fig 1.

32. At page 6, line 20-23, page 7, line 1-3, Claims 1 and 8, Conmy patent fails to show or suggest applicants recited "means for storing a plurality....."

As to the above argument(s), examiner refers above detailed office action, for example 'means for storing a plurality of subscriber address books, each said address book comprising a plurality of entries, each entry corresponding to a named individual' [col 1, line 60-67, col 2, line 1-3, col 3, line 45-55, fig 1], Conmy specifically teaches database element 200 stores one or more profiles, element 202, one or more calendar files element 210, and one or more name and addresses files element 212 as detailed in fig 1, further it is noted that name and addresses files element 212 containing list all of the names and electronic mail addresses for a plurality or all of the users as detailed in col 3, line 51-53, also it is noted that Conmy specifically teaches for example name and address file may be created for each invitee, [col 3, line 52-53], the user calendar file(s) are associated with user profiles, names and address as detailed in fig 1, subscriber address books corresponds to users specific profiles that containing specific

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user stored names and address stored in a database such as detailed in col 34-42, subscriber address book(s) corresponds to user(s) profile(s) containing names and addresses as detailed in fig 1, plurality of entries corresponds to entries in the database that related to user events for example profile information, busy time creation information and like as detailed in fig 1-2.

33. As to arguments at page 7, line 4-9, dependent claims 2-3,9-10,4-7,11-14 are rejected based on the independent claims, and examiner applies arguments above discussed.

34. At page 8, line 13-16, Claims 15,24, O'Flaherty system does not operate to manage a plurality of community address books or automatically change an individuals address.....

As to the above argument, examiner disagree with the applicant because firstly, O'Flaherty is directed to privacy enhanced database, more specifically, database management that is to collect user or customer data, analyze data [see Abstract], secondly, O'Flaherty teaches a community in which user or customer is part of that community such as shopping, banking and like [col 1, line 57-63], thirdly, O'Flaherty maintains user or customer or consumer profile, that identifies potential customers transaction habits or trends and like based on user profile. It is however

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noted that applicant arguments are directed to address books, individual address book data..... this language is not found in the independent Claims 15 and 24.

35. As to arguments at page 9, dependent claims 17-23,26-32 are rejected based on the independent claims, and examiner applies arguments above discussed.

**Conclusion**

**The prior art made of record**

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|----|---------------|---------|
| a. | US Patent No. | 6101480 |
| b. | US Patent No. | 5754306 |
| c. | US Patent No. | 6253203 |
| d. | WO 94/16398   |         |

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure


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|----|---------------|---------|
| e. | EP0944003     |         |
| f. | US Patent No. | 5960409 |
| g. | US Patent No. | 6311185 |
| h. | US Patent No. | 6009410 |
| i. | US Patent No. | 6202083 |
| j. | US Patent No. | 5724521 |
| k. | US Patent No. | 5813009 |
| l. | US Patent No. | 5771280 |
| m. | US Patent No. | 6189026 |
| n. | US Patent No. | 5530853 |

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srirama Channavajjala whose telephone number is (703) 308-8538. The examiner can normally be reached on Monday-Friday from 8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is (703) 306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone numbers for the organization where the application or proceeding is assigned are as follows:

703/746-7238	<b>(After Final Communication)</b>
703/746-7239	<b>(Offical Communications)</b>
703/746-7240	<b>(For Status inquiries, draft communication)</b>

Any inquiry of general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

sc   
Patent Examiner.  
June 18, 2003.